IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 3RD JANUARY 2007 / 13TH PAUSHA 1928

WP(C).No. 27163 of 2006(H)

PETITIONER: PETITIONER

RAJAN THIRUVOTH,
HEAD CLERK, RURAL WATER SUPPLY SUB. DIVISION,
KERALA WATER AUTHORITY, MALAPARAMBA,
KOZHIKODE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS:

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1. KERALA WATER AUTHORITY,
REP. BY ITS MANAGING DIRECTOR,
THIRUVANANTHAPURAM.

2. THE SENIOR ADMINISTRATIVE OFFICER,
KERALA WATER AUTHORITY,
THIRUVANANTHAPURAM.

3. THE ASSISTANT EXECUTIVE ENGINEER,
RURAL WATER SUPPLY SUB DIVISION,
KERALA WATER AUTHORITY,
MALAPARAMBA, KOZHIKODE.

4. SMT.NIRMALA M.V.,
U.D.CLERK, P.H.DIVISION,
KERALA WATER AUTHORITY,
EDAPPAL, MALAPPURAM.

BY S.C. MR. J. KRISHNA KUMAR FOR R1 TO R3.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 27163 OF 2006

Dated this the 3rd January, 2007.

JUDGMENT

The petitioner belongs to the category of Head Clerk in the service of the respondent Water Authority. Feeling aggrieved by order passed by the respondent on 25.9.2006 transferring the petitioner from Kozhikode to Kanjhangad he had preferred Ext.P3 representation before the first respondent to review that order to the extent it adversely affected him. Subsequently, he filed W.P(C) 25939/2006 seeking to set aside that order. This Court by Ext.P4 judgment directed the first respondent to consider the representation filed by the petitioner for review of order dated 25.9.2006 and to take appropriate decision within a time frame. The petitioner has filed this writ petition pointing out that the first respondent had failed to pass orders as directed but is proceeding to fill up the vacancy by posting other incumbents.

2. Counsel for the Water Authority has filed a statement on behalf of the first respondent stating that the representation filed by the petitioner was considered, and taking note of all relevant facts and circumstances, the order transferring the petitioner to Kasaragode has been modified and the petitioner has been posted at

Vadakara in Kozhikode district. According to the respondents only that much relief can be granted to the petitioner having regard to all relevant circumstances. Counsel for the petitioner submits that the modified order is no relief to him because he wanted to be retained in the very same place. I do not think that this Court will be justified in granting such a relief to the petitioner in the light of the averments contained in the statement filed on behalf of the respondents. No other orders are called for and the writ petition is closed.

K.K.DENESAN
Judge

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